

STATE OF NEW HAMPSHIRE
INTRA-DEPARTMENT COMMUNICATION

FROM



Matt Urban
Wetlands Program Manager

DATE

July 25, 2017

AT (OFFICE)

Bureau of Environment

SUBJECT

Wetland Bureau Permit # 2016-00790 AMENDED
Gilford, 16279

TO

Tobey Reynolds, Bureau of Highway Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 7/21/2017.

Please note specific conditions on permit.

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☐ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- ☒ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required – **ACOE APPROVAL ISSUED, DO NOT NEED TO WAIT 30 DAYS**
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- ☒ Outside of Coastal Zone-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- ☐ Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-3226.

MRU:sel
Encl.

cc:
BOE Original
Darrell Elliott, Environmental Coordinator (Via Electronic Notification)
Meli Dube, Environmental Manager (Via Electronic Notification)
James Bowles, Construction (Via Electronic Notification)
Kevin Nyhan, Bureau of Environment (Via Electronic Notification)



The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

RECEIVED
BUREAU OF ENVIRONMENT

July 24, 2017

JUL 24 2017

NH DEPARTMENT OF
TRANSPORTATION

MATT URBAN
NH DEPT OF TRANSPORTATION
PO BOX 483
CONCORD NH 03302-0483

RE: File # 2016-00790
Subject Property: Gilford Tax Map/Lot # ROW / ROW

Dear Mr. Urban:

Attached please find Wetlands Permit # 2016-00790 to replace a 31 ft. long x 9 ft. wide x 5 ft. high concrete box culvert with a 43 ft. long x 16 ft. wide x 8 ft. high (2 ft. embedded) concrete box culvert placed on skew and eliminate the perched outlet impacting 5,300 sq. ft. (1,290 sq. ft. temporary) of prime wetland, stream and banks. NHDOT project #16279

Compensatory mitigation includes a one-time payment of \$27,360.00 and a one-time payment of \$4,980.80 to the Aquatic Resource Mitigation Fund.

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects in or adjacent to prime wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. On July 6, 2017 the NHDES received an amendment request to allow the culvert to have squared off ends. The modified plan results in 20 less feet of bank to be constructed which was a part of the permittee-responsible mitigation.
6. A one-time payment of \$4,980.80 to the Aquatic Resource Mitigation Fund was received on July 7, 2017 for the amended permit request.
7. On July 11, 2017 the NHDES received a copy of a certified mail receipt indicating the town received the amended request on July 6. As of July 20 the NHDES had no additional correspondence noting any concerns with the slight modification.

Mitigation Findings:

8. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
9. The payments calculated for the proposed wetland loss equals a total of \$32,260.80.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

File Number: 2016-00790

July 24, 2017

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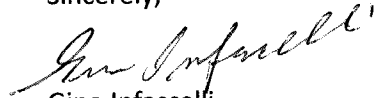
Any person aggrieved by this decision may appeal to the New Hampshire Wetlands Council (the Council) by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the New Hampshire Department of Environmental Services (NHDES) Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,



Gino Infascelli

Public Works Project Supervisor

NHDES Wetlands Bureau

cc: Gilford Conservation Commission
Gilford Municipal Clerk



Department of Environmental Services



Robert R. Scott, Commissioner

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WETLANDS AND NON-SITE SPECIFIC PERMIT 2016-00790

Permittee: NH DEPT OF TRANSPORTATION **NOTE CONDITIONS**
PO BOX 483
CONCORD NH 03302-0483

Project Location: NH ROUTE 11A (WEST OF GILFORD/ALTON TOWN LINE, GILFORD
TAX MAP/LOT NO: ROW / ROW

Waterbody: WEST ALTON BROOK

AMENDED APPROVAL DATE: July 21, 2017

APPROVAL DATE: JULY 21, 2017

EXPIRATION DATE: AUGUST 23, 2021

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Replace a 31 ft. long x 9 ft. wide x 5 ft. high concrete box culvert with a 43 ft. long x 16 ft. wide x 8 ft. high (2 ft. embedded) concrete box culvert placed on skew and eliminate the perched outlet impacting 5,300 sq. ft. (1,290 sq. ft. temporary) of prime wetland, stream and banks. NHDOT project #16279

Compensatory mitigation includes a one-time payment of \$27,360.00 and a one-time payment of \$4,980.80 to the Aquatic Resource Mitigation Fund.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

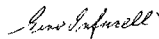
1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, dated 01/25/2016 revised 6/30/17 as received by the NH Department of Environmental Services (NHDES) on July 6, 2017.
2. Dredged material shall be placed out of the NHDES Wetlands Bureau jurisdiction unless specifically allowed.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Work shall be done during low flow.
12. Roadway runoff shall be diverted to reduce sediment into jurisdictional areas.
13. Rip rap design specifications shall be submitted to the file in accordance with Env-Wt 404.04 prior to construction.
14. Simulation of the natural stream shall be through the proposed structure.
15. Construction monitoring reports shall be provided to the NHDES Wetlands Bureau file.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

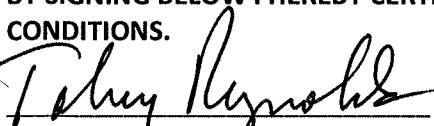
APPROVED:



Gino Infascelli
NHDES Wetlands Bureau

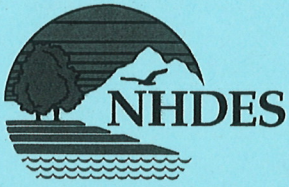
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BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.



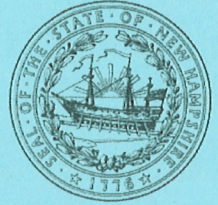
OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



**NOTICE TO RECIPIENTS OF
MAJOR IMPACT NH WETLANDS PERMITS**

Your permit was approved by the New Hampshire Wetlands Bureau as a major impact project, and your project will be reviewed by the US Army Corps of Engineers for possible approval under the Army Corps New Hampshire State Programmatic General Permit – SPGP. The Army Corps will notify you within thirty (30) days as to whether you qualify.

*****NO WORK SHOULD BE DONE IN WETLANDS
UNTIL YOU RECEIVE THAT NOTICE*****

If you do not hear from the Army Corps within thirty (30) days, you should call them at 1-800-343-4789 (ME, NH, VT, CT, RI); 1-800-362-4367 (MA).

cc: US Army Corps of Engineers